



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/718,493	11/24/2000	Henry G. Pajak	106815	3547

7590 04/21/2004
Oliff & Berridge PLC
P.O. Box 19928
Alexandria, VA 22320

EXAMINER

SALAD, ABDULLAHI ELM I

ART UNIT	PAPER NUMBER
----------	--------------

2157

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/718,493

Applicant(s)

PAJAK ET AL.

Examiner

Salad E Abdullahi

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2002.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-15 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 02 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2&5.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This application has been reviewed. Original claims 1-15 are pending. The rejection cited stated below.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not). Misnumbered claims 10-12 have been renumbered 10-15.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4, and 7-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Kekic et al., U.S. Patent No. 6,664,978[hereinafter Kekic].

Art Unit: 2157

As per claim 1, Kekic discloses a method for communication between a plurality of networked devices (plurality of managed computer elements, managed element server and at least one managed element server client) in a Web-based management system, comprising:

automatically providing networked device information (i.e., state information) from the networked device (managed element component) to at least one Web object (M.E. object 416) over a distributed network (network 300) (see fig. 4 and col. 17, lines 28-54, and col. 18, lines 40-46, where each managed network element has an associated management object element which contain information such as status of the managed network element), wherein each Web object (M.E. object 416) is a self-contained entity with object data (see fig. 4, M.E. object 416 containing other entities e.g. 411-413), an associated presentation (visual element builder 406 or graphical user interface GUI) (see fig. 8, and col. 14, lines 6-21, col. 26, lines 19-45 and col. 28, lines 23-36) and a state machine lifecycle (finite state machine 418) (see fig. 4, element 418 col. 19, lines 25-32, which describes state machine which is used for a variety computer network device management which includes states, events, rules and actions for each network device)

As per claim 2, Kikic discloses the method of claim 1, further comprising processing events using the state machine lifecycle of the at least one Web object (see col. 18, lines 31-34)

Art Unit: 2157

As per claim 3, Kikic discloses the method of claim 2, further comprising communicating between the at least one Web object (416) and at least one other Web object (server object model 314 which includes plurality element manager objects 403, 402, 402, etc) concurrently through events that are processed using the state machine lifecycle (using event engine and event rule which constitute a finite state machine) of the at least one Web object (see col. 17, lines 35-54, where events are concurrently processed by M.E. object 416 and corresponding poll server object 417).

As per claim 4, Kikic discloses the method of claim 2, further comprising generating at least one subsequent event in response to a change in state of the state machine lifecycle of the at least one Web object (see col. 17, lines 42-54 and col. 19, lines 25-37).

As per claim 7, Kikic discloses the method of claim 2, further comprising managing events (i.e., polling or trap event) using an event queue (i.e., using event buffer) (see col. 20, lines 15-23, where the trap server 403 object manages all events).

As per claim 8, Kikic discloses the method of claim 7, wherein managing events using the event queue comprises receiving events, queuing the received events and transmitting the queued events in order to the at least one Web object (col. 20, lines 15-23, where the trap server 403 object receives all events, puts in a buffer/queue and generates the events to event engine 418 which is associated with M.E. Object 416).

Art Unit: 2157

As per claim 9, Kikic discloses the method of claim 2, further comprising receiving, at the at least one Web object, at least one event or data access directly from at least one other Web object (see col. 18, lines 40-46, where the M.E. object receives variety of events).

As per claim 10, Kikic discloses the method of claim 2, further comprising accessing data directly from at least one other Web object (server object model 314) by the at least one Web object (M.E. object 415) (see fig. 4 and col. 18, lines 40-46).

As per claim 11, Kikic discloses the method of claim 2, further comprising synchronously receiving events (i.e., receiving polling events which are proactive requests made by the management station) at the at least one Web object (see col. 4, lines 19-24 col. 7, lines 20-30 and col. 21, lines 5-17).

As per claim 12, Kikic discloses the method of claim 2, further comprising asynchronously receiving events at the at least one Web object (see col. 2, lines 33-45, and col. 7, lines 20-30 and col. 21, lines 5-17, where traps which are an asynchronous message issued by network element is received by management station which contain the web object).

• Art Unit: 2157

As per claim 13, Kikic discloses the method of claim 1, further comprising analyzing the networked device information to obtain data related to the networked device information (see col. 20, lines 24-32 and col. 27, lines 7-27).

As per claim 14, Kikic discloses the method of claim 10, wherein analyzing the networked device information comprises processing at least one event such that the state machine **lifecycle** of at least one of the Web objects changes state (see col. 19, lines 11-37, where event is processed such that state machine 418 transitions state).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Art Unit: 2157

7. Claim 5, 6 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikic as applied to claim 2 above, and further in view of Dadiomov et al., U.S. Patent No. 6,529,932[hereinafter Dadiomov].

As per claims 5, 6 and 15, Kikic discloses substantial features of the claimed invention as discussed above with respect claim 2, including the step of processing events (see col. 7, lines 31-53), processing actions within state (see col. 7, lines 31-53 and col. 19, lines 11-32) and providing or initiating a runtime procedure that establishes coherence for the at least one Web object with respect to at least one of: events, actions and data that occur in a state of another web object state machine (see fig. 38 and col. 73, lines 12-24).

Kikic, is silent regarding: atomically processing events.

Nonetheless, processing events such as transaction, operations, and messages atomically is well known in the art and would have been an obvious modification to Kikic's system as evidenced by Dadiomov. Dadiomov, discloses a system for providing **atomic** processing (i.e., either all of operations are performed or none of them is performed) a distributed transaction on computer network (see fig. 2, and col. 4, lines 54-67 and col. 7, lines 16-30). Furthermore, Dadiomov teaches atomic processing ensures transactions/events to be completely processed with interruption or failure. In addition, Kikic teaches the poll server object 417 creates a separate thread for each event and as is known in the art thread are executed independently of other parts, thus indicating events are processed independently without interruption. In addition, Dadiomov's atomically processing event/transactions would be advantageous to Kikic's

Art Unit: 2157

system because it provides a fault-tolerant mechanism by ensuring events or transactions are completely processed. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the atomically processing events as taught by Dadiomov into Kikic's system such that once an event is received it can be processed to a completion without interruption from other events, thus providing a fault-tolerant mechanism for processing events.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 703-308-8441. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/718,493

Page 9

• Art Unit: 2157

Any response to this action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, DC 20231

or faxed to: (703) (872-9306).



Abdullahi Salad

Examiner AU 2157

4/15/2000